

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
 )  
**Pellaux et al.** ) Atty. Dkt. **3024-120**  
 )  
Appl. No.: 10/596,530 )  
 ) Examiner: Audet, Maury A.  
 )  
Filed: June 15, 2006 ) Group Art Unit: 1654

For: **METHOD FOR THE CONCENTRATION AND PURIFICATION OF BIOLOGICAL COMPOUNDS**

**PRECAUTIONARY RESPONSE TO VACTATED OFFICE ACTION AND  
MEMORANDUM OF INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to Office Action of April 4, 2009, which has been vacated on July 21, 2009, applicants submit the following.

**Remarks** begin on page 2 of this paper.

### **Remarks**

The Office Action of April 4, 2009 was vacated since it did not take in consideration claim amendments submitted on June 15, 2006.

### **Memorandum of Interview**

In response to a telephone message left by the undersigned with Cecilia Tsang on July 20, 2009 stating that the preliminary amendment of 6/15/2006 has not been considered in the Office Action of April 4, 2009 and that a new Office Action was required to address the resulting deficiencies of the Office Action of April 4, 2009, the Office issued an Interview Summary form on July 21, 2009 stating that the Office Action of April 4, 2009 has been vacated.

In view of the fact that the Office Action of April 4, 2009 was vacated, the undersign's respectfully submits that no submission as to the substance of the Action is required.

However, since no new Office Action has issued as of today, the undersigned files this precautionary in response to the April 4, 2009 Action.

**No extension of time is believed to be due in this case** as this response is filed as a precautionary matter only to an already vacated Action. However, should this application otherwise go abandon, applicants respectfully request a three months extension of time to respond to the Office Action of April 4, 2009.

The Commissioner is authorized to charge any fee deficiencies and overpayments to deposit account number 50-3135.

Respectfully submitted,

By /Joyce v. Natzmer/  
Joyce von Natzmer  
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**Monday, October 5, 2009**